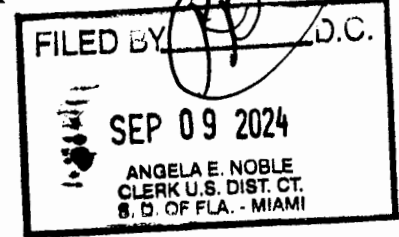


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION



Grace D. Solis and  
Shirley J. Solis  
Plaintiffs

v.

Case No. 24-21356-KMW

CITIBANK, N.A.,  
CENLAR SERVICING,  
ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, LLC, and;  
Kim Stevens  
Defendants

**PLAINTIFFS' MOTION FOR LEAVE TO AMEND FIRST AMENDED COMPLAINT**

The Plaintiffs, Grace D. Solis and Shirley J. Solis, *pro se*, file their Motion for leave to Amend their First Amended Complaint pursuant to Fed. Rules of Civil Procedure No. 15(a) and as grounds therefore states:

1. The Complaint in this case was filed on April 11, 2024.
2. The First Amended Complaint (FAC) was filed on July 9, 2024.
3. The FAC was served on July 9, 2024, on Defendant CITI.
4. Defendant CENLAR waived service.
5. After the FAC was filed, Defendant CENLAR began calling Plaintiff Grace Solis's cell phone, 954-588-8214, without prior express consent, despite receiving Plaintiff's do not call request on August 11, 2023.
6. CENLAR was calling about the already satisfied Judgment of Foreclosure paid on June 17, 2024.
7. Defendants CENLAR and CITI filed their Motion to Dismiss on August 15, 2024.
8. On August 21, 2024, Plaintiffs made a good faith effort with CENLAR and
9. CITI for their consent to amend the FAC via email to which they objected.


10. Defendants ROBERTSON and Stevens have not yet been served.

**MEMORANDUM OF LAW**


Pursuant to Federal Rule of Civil Procedure 15(a)(2), “a party may amend its pleading only with the opposing party’s written consent or the court’s leave. The court should freely give leave when justice so requires. The decision whether to grant leave to amend a pleading is within the sound discretion of the district court, but as this Court has aptly recognized, “this discretion is strictly circumscribed by the proviso that ‘leave [should] be freely given when justice so requires.’” *Id.* at \*5, n.3 (citing *Knox v. Service Employees*, 567 U.S. \_\_\_, \_\_\_ (2012) (slip op. at 7) and *FTC v. Whole Foods Market, Inc.*, 548 F.3d 1028, 1033-34 (D.C. Cir. 2008) (Brown, J.)). Therefore, a justifying reason must be apparent for denial of a motion to amend. Unless a substantial reason exists to deny leave to amend, the discretion of the district court is not broad enough to permit denial

**WHEREFORE**, the Plaintiffs respectfully move the court to enter an order granting this Motion for Leave to Amend the First Amended Complaint.

Respectfully submitted,

  
Grace D. Solis

September 5, 2024

  
Shirley J. Solis

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been delivered  
by USPS mail to:

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Adams and Reese LLP  
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